

Ray D. Hacke, OSB #173647
PACIFIC JUSTICE INSTITUTE
1850 45th Ave. NE, Suite 33
Salem, OR 97305
(503) 917-4409 Phone
(916) 857-6902 Facsimile

Attorneys for Plaintiff
JOSHUA LEVI SMITH

UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF OREGON
EUGENE DIVISION

JOSHUA LEVI SMITH,

Plaintiff,

v.

MICHAEL STRUB *et al.*,

Defendants

Case No.: 6:20-CV-00344

**PLAINTIFF'S MOTION TO
DISMISS CASE WITH PREJUDICE
AS TO ALL PARTIES**

Plaintiff JOSHUA LEVI SMITH, having reached a settlement agreement with Defendants MICHAEL STRUB, BRIAN DANIELSON, and the MARION COUNTY SHERIFF'S DEPARTMENT, and pursuant to both said agreement and Fed. R. Civ. P. 41(a)(2), hereby voluntarily moves to dismiss this case with prejudice as to all parties.

Dated: August 21, 2020

PACIFIC JUSTICE INSTITUTE

/s/ RAY D. HACKE

Ray D. Hacke, State Bar No. 173647
Attorney for Plaintiff
JOSHUA LEVI SMITH
Counsel for Service
P.O. Box 5229
Salem, OR 97304

Tel. (503) 917-4409
Fax (916) 857-6902
E-mail: rhacke@pji.org

PROOF OF SERVICE

STATE OF OREGON)
)
) ss.
COUNTY OF MARION)

I am employed in the County of Marion, State of Oregon. I am over the age of eighteen and not a party to the within action; my business address is 1850 45th Ave. NE, Suite 33, Salem, OR 97305.

On August 21, 2020, I served the following documents on the interested parties by placing a true copy thereof enclosed in sealed envelope(s) addressed to said parties:

PLAINTIFF'S MOTION TO DISMISS CASE WITH PREJUDICE AS TO ALL PARTIES

PLEASE SEE ATTACHED SERVICE LIST

 X BY MAIL: I am readily familiar with the firm's practice of collection and processing of correspondence for mailing. Under that practice, it would be deposited with the U.S. postal service on that same date with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

 BY PERSONAL SERVICE: I caused such envelope to be delivered by hand to the office of the addressee(s).

 BY FACSIMILE TRANSMISSION: The facsimile machine I used complied with California Rules of Court 2003(3) and no error was reported by the machine. Pursuant to rule 2005(i), I caused the machine to print a record of the transmission, a copy of which is attached to this proof of service.

 BY FEDERAL EXPRESS: I caused the above-referenced document(s) to be delivered via Federal Express, for delivery to the above address(es).

 X (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

 (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on August 21, 2020, at Salem, Oregon.

 /s/ RAY D. HACKE
Ray D. Hacke

SERVICE LIST

Curtis M. Glaccum
Marion County Legal Counsel
555 Court St. NE
Salem, OR 97309
e-mail: cglaccum@marion.co.or.us